

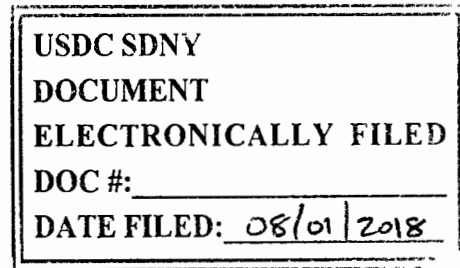
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
UNITED STATES COURTHOUSE  
500 PEARL STREET  
NEW YORK, NY 10007-1312

NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE

212-805-0194

**By ECF**

Jeremy A. Lieberman, Esq.  
Pomerantz LLP  
600 Third Avenue  
New York, NY 10016



August 1, 2018

**Re: In re LIBOR-Based Financial Instruments Antitrust Litigation  
11 MD 2262 (NRB); 12 Civ. 5723 (NRB)**

Dear Counsel:

The Court is in receipt of your July 19, 2018 letter, ECF No. 2636, attaching revisions to the proposed notice program directed by the Court in our July 19, 2018 order, ECF No. 2635. The following further revisions should be made to question 2 in the long-form notice attached as Exhibit A:

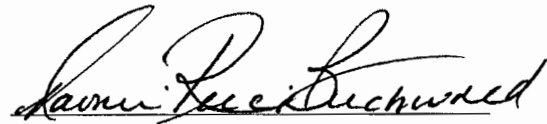
- In the second paragraph, the sentence beginning <The litigation is continuing . . . > should be revised to read <The Berkshire Bank is continuing to pursue only its individual claims.>
- In the second paragraph, the phrase <the adequacy requirements pursuant to Fed. R. Civ. P. 23(a)(4)> should be revised to read <the adequacy of representation requirements imposed by Fed. R. Civ. P. 23(a)(4).> The same change should be made in question 4.
- In the second paragraph, the sentence beginning <If the Court's denial of class certification . . . > should be revised to read <Given the Court of Appeals's decision, the only remaining avenue for reversal of the denial of class certification is an appeal taken after the entry of final judgment on the merits. Accordingly, settlements are likely to be the only way that Lender Class Members will achieve any recovery through the Lender Action.>

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- In the list of defendants, <JPMorgan Chase Bank & Co.> should be revised to read <JPMorgan Chase & Co.>, consistent with the operative Second Amended Complaint, ECF No. 1383.

Finally, in the publication notice attached as Exhibit B, the last sentence of the second paragraph should be revised to read <The Berkshire Bank is continuing to pursue only its individual claims.>

Very truly yours,

A handwritten signature in black ink, appearing to read 'Naomi Reice Buchwald', written over a horizontal line.

Naomi Reice Buchwald  
United States District Judge